



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF CSC TKR,)
INC. D/B/A CABLEVISION OF RARITAN VALLEY)
FOR RENEWAL OF A CERTIFICATE OF APPROVAL)
TO CONTINUE TO OPERATE AND MAINTAIN A)
CABLE TELEVISION SYSTEM IN THE TOWNSHIP)
OF GREEN BROOK, COUNTY OF MIDDLESEX,)
STATE OF NEW JERSEY)

RENEWAL
CERTIFICATE OF APPROVAL

BPU DOCKET NO. CE03010069

Schenck, Price, Smith & King, Morristown, New Jersey, by James Eric Andrews, Esq.,
for the Petitioner.

Township Clerk, Township of Green Brook, Kathryn Kitchener, for the Township.

BY THE BOARD:

On August 12, 1977, the Board granted Cross Country Cable, Ltd. ("Cross Country") a Certificate of Approval in Docket No. 775C-6280, for the construction, operation and maintenance of a cable television system in the Township of Green Brook ("Township"). On February 5, 1982, the Board approved the transfer of the Certificate from Cross Country to TKR Cable Company ("TKR") in Docket No. 8112C-6860. On March 24, 1993, the Board issued an Order Adopting Initial Decision and Renewal Certificate of Approval to TKR in Docket No. CE92060646. On April 2, 1997, the Certificate was transferred to TCI Atlantic, Inc. d/b/a TKR Cable Company ("TCI") in Docket No. CM96040359. On December 17, 1997, the Certificate was transferred from TCI to CSC TKR, Inc. d/b/a Cablevision of Raritan Valley ("Petitioner") in Docket No. CF97090674. Although the Petitioner's above referenced Certificate expired on August 12, 2002, it is authorized to continue to provide cable television service to the Township pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate of Approval.

The Petitioner filed an application for the renewal of its municipal consent with the Township on December 6, 2001, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13. The Township, after public hearing, adopted an ordinance on July 15, 2002. On December 11, 2002, the Petitioner formally accepted the terms and conditions of the ordinance, in accordance with N.J.S.A. 48:5A-24.

On January 31, 2003, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate of Approval for the Township. The Board has reviewed the application for municipal consent, the petition for a Renewal Certificate of Approval, and the renewal municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable Television, the Board **HEREBY FINDS** the following:

1. The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Renewal Certificate of Approval. Further, the Township reviewed these qualifications in conjunction with the municipal consent process.
2. The design and technical specifications of the system will ensure that the Petitioner provides safe, adequate and proper service.
3. The Petitioner has represented that all previously required construction within the franchise territory is complete.
4. The franchise period as stated in the ordinance is ten years from the date of issuance of this Certificate. The Board finds this period to be of reasonable duration.
5. The Petitioner's rates shall be regulated and tariffs shall be filed for all services, in accordance with the rules and regulations of the Federal Communications Commission, the Board and the Office of Cable Television. The Petitioner shall maintain informational tariffs for unregulated service rates and promptly file any revisions thereto.
6. Pursuant to statutory requirements, the ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the Township. In this case, it is the Office of the Township Administrator. All complaints shall be received and processed in accordance with the applicable rules.
7. The Petitioner shall maintain a local area business office or agent for the purpose of receiving, investigating and resolving complaints. The current local office serving this purpose is located at 275 Centennial Avenue in Piscataway, New Jersey.
8. The franchise fee to be paid to the Township is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Township. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.

9. The Petitioner shall utilize the line extension policy attached to the Certificate (Appendix "I"). The minimum homes per mile figure is 25.
10. The Petitioner shall make available one composite public, educational and governmental ("PEG") access channel for the use of the Township, its residents and schools. The Township shall be responsible for the operation and administration of the PEG access channel. The Petitioner shall continue to maintain one insertion point for the Township at 111 Greenbrook Road (Municipal Building), to allow the Township with the capability to originate upstream programming from the Municipal Building.
11. Within 120 days of the issuance of this Certificate, the Petitioner shall provide the Township with a capital contribution in the amount of \$11,500.00, which may be used for any cable and/or telecommunications purpose that the Township deems appropriate.
12. The Petitioner shall provide the standard installation and basic service to one outlet, free-of-charge, to all state accredited public and private primary and secondary schools and to all municipal buildings in the Township, including but not limited to: a) Municipal Building; b) Police Headquarters; c) Fire/EMS Headquarters; d) Firehouse #2; and e) Senior Center on Rock Avenue.
13. Upon written request of the Township, the Petitioner shall provide one standard installation, one cable modem and standard monthly service to all state accredited public and private primary and secondary schools and all municipal libraries in the Township.
14. Upon written request of the Township, the Petitioner shall provide one standard installation, one cable modem and standard monthly service to one municipal location in the Township. The Township shall be permitted, at its own cost, to network up to three additional personal computer terminals in the designated building.

Based upon these findings, the Board **HEREBY CONCLUDES**, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), that the Petitioner has the municipal consent necessary to support the petition, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 et seq., that the Petitioner has complied or is ready, willing and able to comply with all applicable rules and regulations imposed by or pursuant to State or federal law as preconditions for engaging in the proposed cable television operations, that the Petitioner has sufficient financial and technical capacity, meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment, and is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is **HEREBY ISSUED** this Renewal Certificate of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of the Township.

This Renewal Certificate is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein. The Petitioner shall adhere to the standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. §76.1 et seq., including but not limited to, the technical standards 47 C.F.R. §76.601 through §76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.

Failure to comply with all applicable laws, rules, regulations and orders of the Board or Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

This Certificate shall expire ten years from the date of its issuance.

DATED: April 11, 2003

BOARD OF PUBLIC UTILITIES
BY:

(signed)

JEANNE M. FOX
PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

(signed)

CAROL J. MURPHY
COMMISSIONER

(signed)

CONNIE O. HUGHES
COMMISSIONER

(signed)

JACK ALTER
COMMISSIONER

ATTEST:

(signed)

KRISTI IZZO
SECRETARY